IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON LODGING NO. 1123 OF 2007

Smt. Uashadevi Rajkumar Prasad (Rai) ..Petitioner

Vs.

State of Maharashtra and ors. ..Respondents

Mr. M.P. Vashi i/by M/s. M.P. Vashi & Associates for petitioner.

Mr. Milind More, AGP for State.
Mr. Akhilesh Dubey for respondent no.4.

CORAM: B.H. MARLAPALLE &
S.C. DHARMADHIKARI,JJ.

Date : May 21, 2007.

P.C.:

1. In this petition filed under Article 226 of the Constitution, the order passed by the Deputy Controller of Rationing, "E" Region, Wadala on 8/5/2007 has been challenged and mainly on the ground that when the complaint was received against the petitioner, she was not issued notice and heard before the impugned order is passed.

2. Mr. Sambhaji Bhimaji Zaware, Deputy Controller of Rationing, "E" Region, Wadala, who has passed the impugned order is present before us and he makes the statement through his learned counsel that the impugned order will be withdrawn by him and all the parties will be heard on the complaint received against the petitioner and thereafter a fresh order will be passed on its own merits.

3. Hence, the petition is disposed off on the ground that the impugned order is withdrawn and nothing further survives in the petition. As per the undertaking furnished by the Deputy Controller of Rationing, notices will be issued to all the concerned and after hearing all of them, including the petitioner, a fresh order will be passed.

(S.C. Dharmadhikari,J.) **(B.H. Marlapalle,J.)**